

**PATENT**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: )  
Mark L. Witten )  
Application Serial No.: 10/645,839 ) Group Art Unit: TBA  
Filed: August 22, 2003 ) Examiner: TBA  
For: AMELIORATION OF EFFECTS OF CIGARETTE )  
SMOKE ) Atty. Docket No.: 003413.00008

INFORMATION DISCLOSURE STATEMENT37 C.F.R. § 1.97(e)(1)

Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

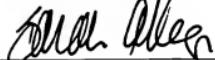
Submitted herewith is one (1) sheet of Form PTO-1449. A copy of each of the references listed therein is enclosed. It is respectfully requested that the Examiner make his/her consideration of each of these documents formally of record.

This Information Disclosure Statement is filed pursuant to 37 C.F.R. § 1.97 (e)(1). The undersigned certifies that all items of information contained in the Information Disclosure Statement were cited in a communication from a foreign patent office in a counterpart foreign application and that this communication was not received by the undersigned more than thirty days prior to the filing of this Information Disclosure Statement. It is believed that no fee is required to ensure consideration of the cited references by the Examiner. However, if a fee is deemed necessary, the Commissioner is authorized to charge Deposit Account 19-0733.

Respectfully submitted,

Dated: April 28, 2004

By:

  
Sarah A. Kagan  
Registration No. 32,141

Banner & Witcoff, Ltd.  
Customer No. 22907

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /TH/



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

1

## Complete If Known

Application Number	10/645,839
Filing Date	August 22, 2003
First Named Inventor	Mark L. Witten
Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	003413.00008

## U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>4</sup> (if known)			
		US-2003/0007965 A1	01/09/2003	Groumann et al.	
		US- 5,945,508	08/31/1999	Witten et al.	
		US-			

## FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>2</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		WU, Zhong-Xin, et al., "Airway Hyperresponsiveness to Cigarette Smoke in Ovalbumin-sensitized Guinea Pigs," <i>Am J Respir Crit Care Med</i> , 2000, pp. 73-80, Vol. 161	

Examiner Signature	/Thomas Heard/	Date Considered	12/18/2008
--------------------	----------------	-----------------	------------

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Index Catalog of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04, 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST-3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST-16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /TH/